



INSPECTOR GENERAL REPORT

2007-05-0098

December 31, 2007

MOTOR POOL MISUSE OF STATE PROPERTY

Inspector General David O. Thomas and Staff Attorney Amanda Schaeffer, after an investigation by Special Agent Alan McElroy, report as follows:

The Office of the Inspector General (OIG) received in May of 2007 a complaint alleging misconduct against two employees of the Motor Pool Division of the Indiana Department of Administration. This report addresses the first employee. This employee was accused of improper use of state property.

The Indiana Code of Ethics in 42 IAC 1-5-12 states that an employee shall not make use of state materials, funds, property, personnel, facilities or equipment for any purpose other than for official state business unless the use is expressly permitted by a general written agency, departmental or institutional policy or regulation.

The OIG has jurisdiction to investigate violations of the Indiana Code of Ethics and to file a complaint with the State Ethics Commission (SEC) if probable cause supports the violation. IC 4-2-7-3.

The investigation revealed that a violation had occurred both in the use of the employee's computer and in the driving of state vehicles outside of official state business. This investigation was accomplished through the review of

computer records and interviews. The agency policies also were reviewed to determine if they permitted this use as addressed in the rule but it was found that this use was not authorized by written policy.

A complaint was filed with the SEC on August 9, 2007 and probable cause was approved by the SEC. An agreed settlement was thereafter filed with and approved by the SEC on November 8, 2007. In addition to the penalty of a monetary fine of \$700, the employee was additionally suspended from work without pay for a period of two weeks.

Dated this 31st day of December, 2007.

A handwritten signature in cursive script, reading "David O. Thomas".

David O. Thomas, Inspector General